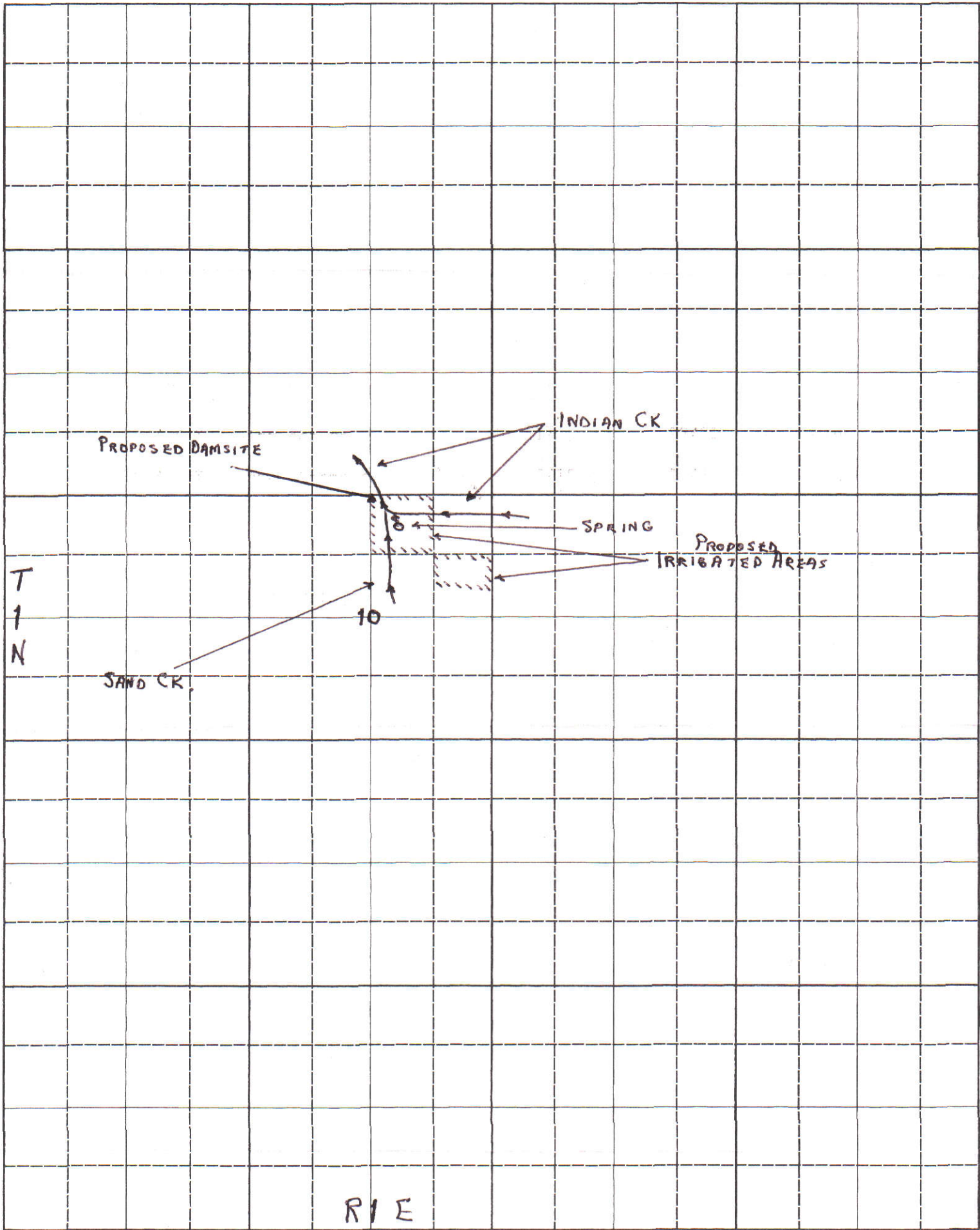


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

H. D. Foster
(Applicant)

COUNTY OF ADA)

Margaret Rose Storrs, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two _____ insertions, beginning with the
issue of August 12, 1982, and ending with the
issue of August 19, 1982.

day of August, 1982.

3982

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION (and/or Kit Hayes)

Permit No. 63-09937

1. Owner: John Hayes

Phone No. 362-0907

Current Address: 11399 West Barker

Kuna, ID 83634

2. Accompanied by: John Hayes

EXAM. DATE: 6/28/89

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Sand Creek tributary to Indian Creek
Indian Creek Boise River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-09099 Lapsed, 63-03577, 63-09184

☐ Copies Attached **NOT NEEDED**

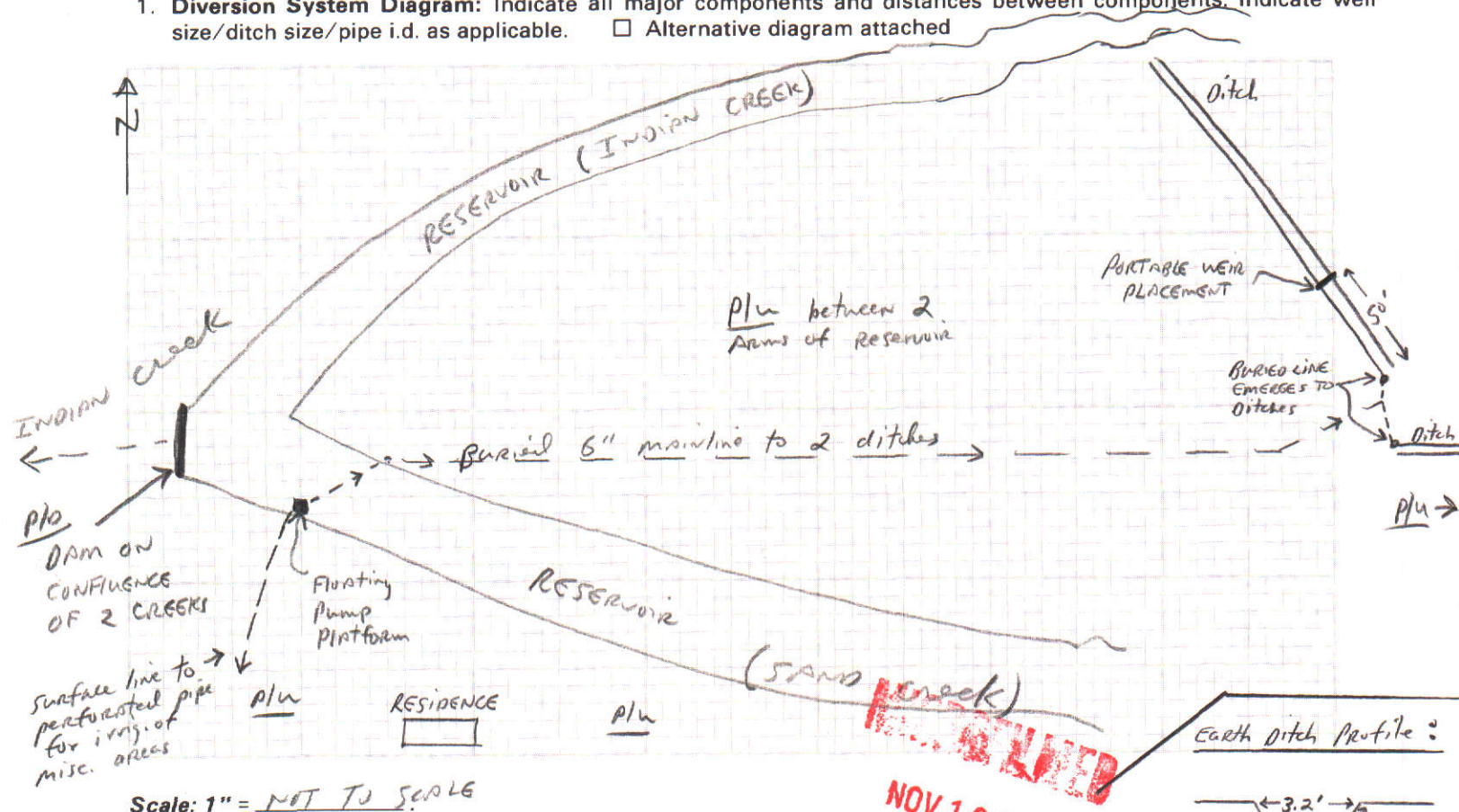
2. Other water rights with same point of diversion: 63-09099 Lapsed

☐ Copies Attached **N/A**

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

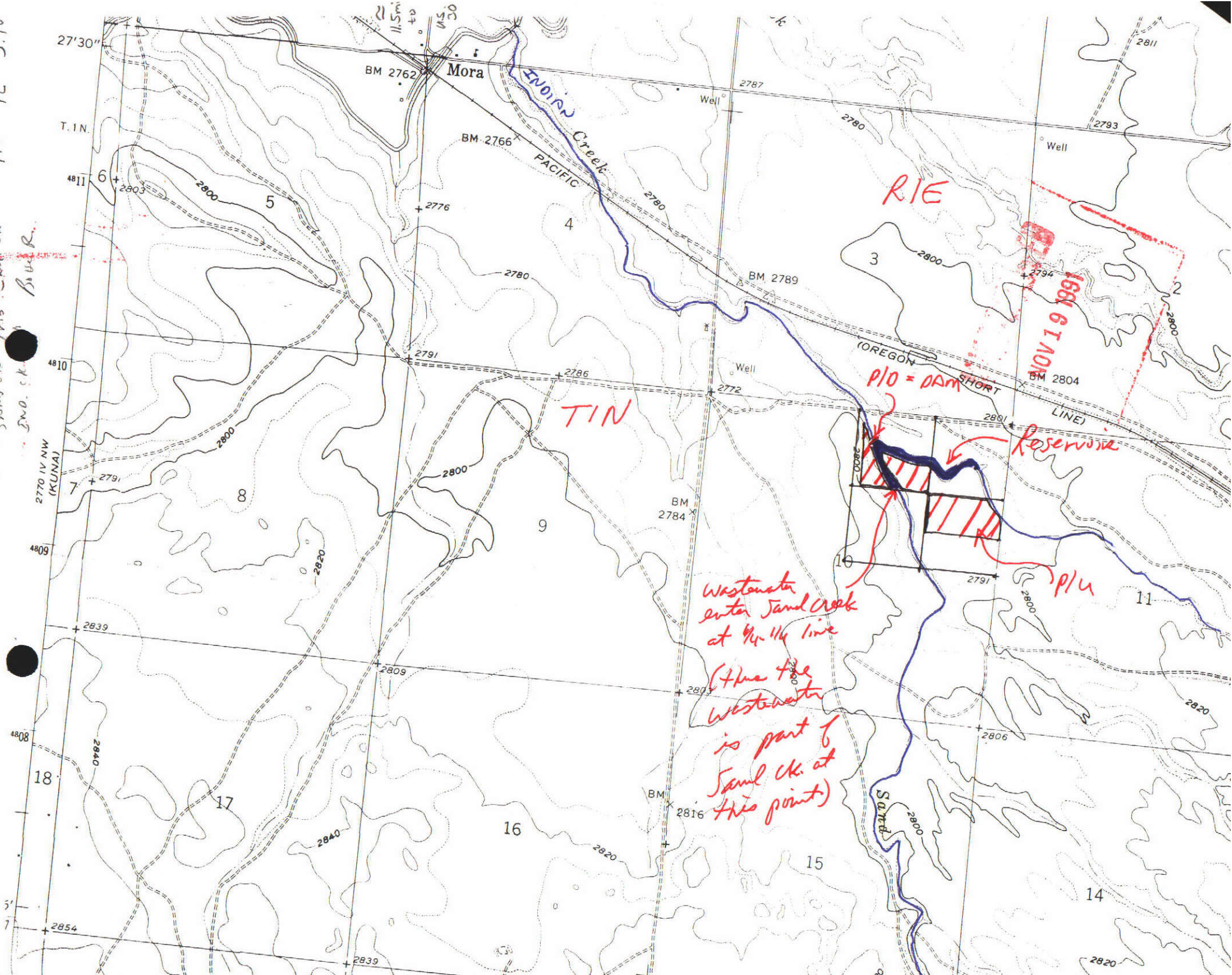
☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☒ Aerial Photo Attached

(required for irrigation of 10 acres or more).

Sono c.k. trib. Trib. ck
Sno. ck. Bette R.



63-09987

1 of 2



- ① P/D
Looking north from
hill where house is
located. View of
dam. Indian Ck.
continues NW (left).



- ② Another view of P/D,
looking south.
Floating pump platform
on left in reservoir.

NOV 19 1991

63.09997

2 of 2



③ Plu

View looking E & SE
at 2 channels of
Reservoir and part of
fields.



④ closer view of pump platform.

RECEIVED
NOV 19 1991

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	63-9937	Foster, H. D. Farol B.	24.0 af 1.0 cfs
Full Assignment	63-9937	Nordstrom, Gayle L.	24.0 af 1.0 cfs

MICROFILMED

AUG 03 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09937

Priority: June 3, 1983

Maximum Diversion Rate: 0.62 CFS
Maximum Diversion Volume:¹ 210.1 AF

This is to certify, that GAYLE L. NORDSTROM
14912 S.E. 122

CLACKAMAS OR 97015 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 15, 1982; and
has submitted Proof of Beneficial Use on December 21, 1985. An examination indicates
that the works have a diversion capacity of .620 cfs of water from:

SAND CREEK
INDIAN CREEK

tributary to INDIAN CREEK
tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.62 CFS	166.5 AF
IRRIGATION STORAGE	01/01 to 12/31		21.7 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		21.7 AF
	Totals	0.62 CFS	210.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 10, Township 01N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01E	10	NWNE 19	SENE 18		37

Total number of acres irrigated: 37

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

NOV 19 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09937

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of OCTOBER, 1991.

Acting for R. Keith Higginson, Director

NOV 19 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 63-9937	)	ORDER OF REINSTATEMENT
IN THE NAME OF	)	
GAYLE L. NORDSTROM	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 63-9937 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 63-9937 to appropriate the public waters of the State of Idaho with a proposed priority of JULY 15, 1982.
2. On APRIL 30, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on JUNE 29, 1986.
3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.

NOV 19 1986

4. The license examination fee was received on
MAY 18, 1987, 323 day(s) late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 63-9937 should be advanced 323 day(s).

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 63-9937 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 63-9937 is advanced to JUNE 03, 1983.

Dated this 15th day of November, 1990.

D. Glen Saylor
Chief, Water Allocation Bureau

RECEIVED

NOV 19 1991

RECEIVED

APR 26 1988

State of Idaho
Department of Water Resources

APR 25 REC'D

ASSIGNMENT OF PERMIT

Department of Water Resources

I, HERBERT D. FOSTER, hereby assign to GAYLE L. NORDSTROM

of 14912 S.E. 122, Clackamas, Oregon 97015
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 63-9937
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 22nd day of ~~March~~ APRIL, 19 88.

H. D. Foster
Permit Holder

Spouse of Permit Holder

State of Idaho

County of Ada) ss.

On this 22nd day of April, 19 88, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Betty Stoppella
Notary Public residing at
Boise, Idaho

My commission expires:

Aug. 4, 1993

RECORDED

AUG 05 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant H. D. &/or FAROL B. FOSTER Phone BUS. 336-3010
HM. 362-2522
Post office address Rt. 2, Kuna, ID 83634
2. Source of water supply Sand Creek which is a tributary of Indian Creek
Indian Creek Boise River
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 1N
Range 1E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.0cfs for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) Storage for
Amount 24.0AF for Irrigation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Irrigation
Amount 24.0AF for from Storage purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dam to form pond or reservoir
to store wastewater in addition to spring water (see App. 63-9099)

b. Height of storage dam under 10 feet, active reservoir capacity _____ acre-feet; total reservoir
capacity 24 acre-feet, materials used in storage dam: earthen with clay core

Period of year when water will be diverted to storage Jan. 1 to Dec. 31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	1E	10		40		20													60

Total number of acres to be irrigated 60

c. Describe any other water rights used for the same purposes as described above. Approved
permit 63-9099

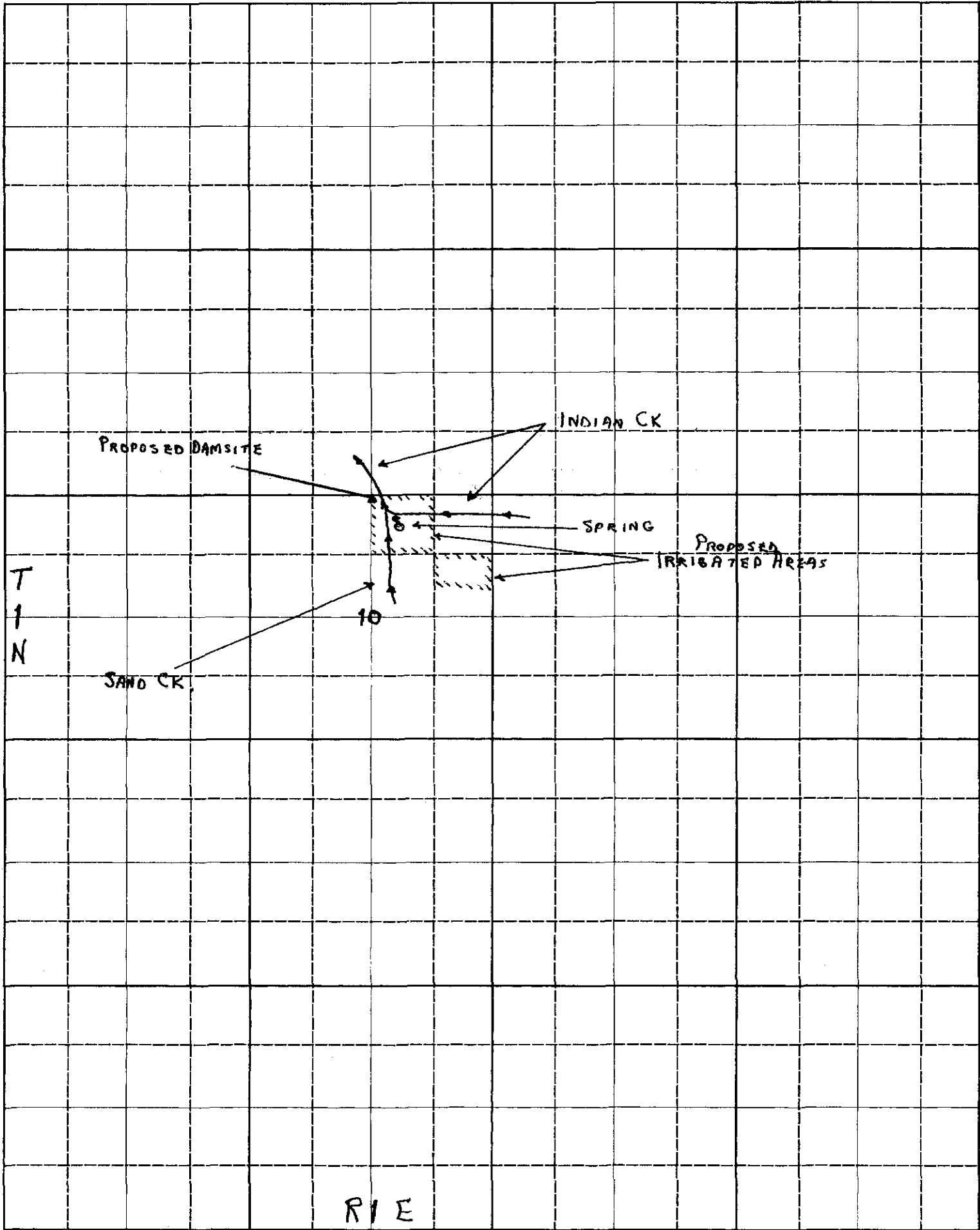
9. a. Who owns the property at the point of diversion Applicants

b. Who owns the land to be irrigated or place of use Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks The application is in addition to approved permit 63-9099, filed
by Terry Nordstrom, the former owner of the property. The purpose of filing
this Application is to store and use a portion of the waste water flowing
through the named creeks plus the spring water described in Permit 63-9099.
As added benefits the reservoir would supply family recreation, including
hunting and fishing, also beneficial erosion control would be derived.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

H. D. Foster
(Applicant)

Proposed Priority 7/15/1982

Received by mm Date 7-15-82 Time 11:00 am
Preliminary check by LKS Fee \$ 45.00 / 24057
Receipted by SR Date 7/10/82
Publication prepared by 18 Date 8/5/82
Published in The Idaho Statesman
Publication dates 8/12 & 8/19/82
Publication approved 18 Date 8/24/82
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9937, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this permit is subject to control by the watermaster of State Water District No. 63, Boise, River.

Witness my hand this 16th day of September, 1982.

J. Glen Saxton
Chief, Operations Bureau

COUNTY OF ADA)

Margaret Rose Storrs

Margaret Rose Storrs, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two

insertions, beginning with the

issue of August 12, 1982, and ending with the

issue of August 19, 1982.

Subscribed and sworn to before me this 19th

day of August, 1982.

Notary Public for ~~Idaho~~, Residing at Boise, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following applications have been submitted for consideration for the public works program;

FOSTER, [REDACTED] B.

Source: [redacted] tributary to

WEEK tributary

Date Filed _____

Diversions Point: [REDACTED] WIN

Use: 1 RBC from

IR 100-100000-124.0

IRANIAN... STOR-
02/15/...

11/15

01E FOR 60

Diversion Activities

lect to all prior protests. Protests

must be filed with the Director of the

sources, Western Region, Statehouse,

UST 30, 1982.

Director

~~FOIA b(7)(D), (b)(7)(C), (b)(7)(B), (b)(7)(A)~~

3982

REGISTERED

ALL 24

Department of Water Resources
Western Regional Office

WARRANTY DEED

FOR VALUE RECEIVED

Gayle L. Nordstrom, an unmarried person

*Carolyn - Plz
file in
63-09937 - I
have updated
database. Karm*

the Grantor, do hereby grant, bargain, sell and convey unto

H. John Hayes and Kit Hayes, Husband and Wife and

Henry G. Hayes, an unmarried person,
the Grantee s, whose address is*11399 W. Barker Rd., Kuna, ID 83634*

the following described premises, to-wit:

See attached exhibit "A" which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
her heirs and assigns forever. And the said Grantor does hereby covenant to and with the
said Grantee s, that she is the owner in fee simple of said premises; that said premises are free from all
encumbrances except for reservations of record, easements of record, general taxes
and irrigation assessments, if any, for 1988 and subsequent years which are not yet
due and payable.

and that s he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 26, 1988

Gayle L. Nordstrom
Gayle L. Nordstrom

ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Ada, ss.On this 26th day of April, in
the year of 1988, before meCandy Kirkes, a notary public,
personally appeared Gayle L. Nordstrom, known or
identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that s he executed the same.

Notary Public:

Residing at: Boise, IdahoSTATE OF IDAHO, COUNTY OF Ada

I hereby certify that this instrument was filed for record
at the request of PIONEER TITLE CO.
at 15 minutes past 4 o'clock P. m.,
this 27 day of April, 1988, in my office, and duly recorded in Book
of Deeds at page 71

JOHN BASTIDA

Ex-Officio Recorder

By: *Marshall P. Staples*

Deputy.

Fees \$ 6.00

Mail to:



A Pioneer Company

Commission Expires: 9-22-88**PIONEER TITLE COMPANY**
OF ADA COUNTY821 West State Street / Boise, Idaho 83702 / (208) 336-6700
888 North Cole Road / Boise, Idaho 83704 / (208) 377-2700

EXHIBIT A

jm
PARCEL A

The Northwest quarter of the Northeast quarter in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho.

EXCEPT THEREFROM the following described parcel of land:

Part of the Northwest quarter of the Northeast quarter in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho, described as follows:
Commencing at a point on the half section line 407.0 feet North of a half inch steel pin marking the North center 1/16 corner of said Section 10; thence continuing North along the half section line 200.0 feet; thence East 217.8 feet; thence South 200.0 feet; thence West 217.8 feet to the POINT OF BEGINNING.

PARCEL B

The North half of the Southeast quarter of the Northeast quarter in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho.

WARRANTY DEED

FOR VALUE RECEIVED

GAYLE L. NORDSTROM, an unmarried person

the Grantor , do es hereby grant, bargain, sell and convey unto

H. JOHN HAYES AND KIT HAYES, HUSBAND AND WIFE AND HENRY G. HAYES, AN
UNMARRIED PERSON

the Grantee s , whose address is 11399 W. BARKER RD., KUNA, ID 83634

the following described premises, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS
EXHIBIT "8"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
 their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the
 said Grantee s that se is the owner in fee simple of said premises; that said premises are free from all
 encumbrances except for reservations of record, easements of record, general taxes
 and irrigation assesemnts, if any, for 1988 and subsequent years which are not
 yet due and payable.

and that se will warrant and defend the same from all lawful claims whatsoever.

Dated:

Sept 2, 1988

GAYLE L. NORDSTROM

ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Ada, ss.

On this 26th day of May, 1988, before me

Candy Kirkes, a notary public,
personally appeared Gayle L. Nordstrom, known or
identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.Notary Public: Candy Kirkes
Residing at: Boise, Idaho

Commission Expires: 9/22/88



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY821 West State Street / Boise, Idaho 83702 / (208) 336-6700
888 North Cole Road / Boise, Idaho 83704 / (208) 377-2700

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
 at the request of PIONEER TITLE CO.
 at 15 minutes past 4 o'clock p.m.,
 this 31st day of May, 1988, in my office, and duly recorded in Book
 of Deeds at page

JOHN BASTIDA

Ex-Officio Recorder

By

Fees \$

Mail to:

EXHIBIT "B"-

A parcel of land in the Northwest quarter of the Northeast quarter of Section 10, Township 1 North, Range 1 East of the Boise Meridian, Ada County, Idaho and more particularly described as follows:

Commencing at a point on the half section line 407.0 feet North of a half inch steel pin marking the North center 1/16 corner of said Section 10; thence continuing North along the half section line 200.0 feet; thence East 217.8 feet; thence South 200.0 feet; thence West 217.8 feet to the POINT OF BEGINNING.

Right of ingress and egress is also conveyed along a 30 foot wide strip of land bounded on the South by the above described parcel, on the West by the half section line of Section 10 and on the North by the section line common to Sections 3 and 10, Township 1 North and Range 1 East of the Boise Meridian.

Jeff M. Anderson
5/20/88

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09937

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of OCTOBER, 1991.

Acting for R. Keith Higginson, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09937

Priority: June 3, 1983

Maximum Diversion Rate: 0.62 CFS
Maximum Diversion Volume:¹ 210.1 AF

This is to certify, that GAYLE L. NORDSTROM
14912 S.E. 122

CLACKAMAS OR 97015 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 15, 1982; and
has submitted Proof of Beneficial Use on December 21, 1985. An examination indicates
that the works have a diversion capacity of .620 cfs of water from:

SAND CREEK
INDIAN CREEK

tributary to INDIAN CREEK
tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.62 CFS	166.5 AF
IRRIGATION STORAGE	01/01 to 12/31		21.7 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		21.7 AF
	Totals	0.62 CFS	210.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 10, Township 01N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01E	10	NWNE 19	SENE 18		37

Total number of acres irrigated: 37

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 28, 1991

GAYLE L. NORDSTROM
14912 S.E. 122
CLACKAMAS OR 97015

RE: WATER RIGHT NO. 63-09937

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in cursive script that reads 'Sharla Curtis'.

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

3018

OCT 10 1991

NEW YORK

U.S. POSTAGE

52

Department of Water Resources

11/11/11 11:11:11

CLACKAMAS

NORD912 770153035 IN 05/16/92
RETURN TO SENDER
NORD912 770153033 IN 05/21/92
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

5

Sent to
Wrong Address.

* NOW
Longer
Lives at this
Address!
Please
Forward

October 28, 1991

GAYLE L. NORDSTROM
14912 S.E. 122
CLACKAMAS OR 97015

RE: WATER RIGHT NO. 63-09937

Dear Water Right Holder(s):

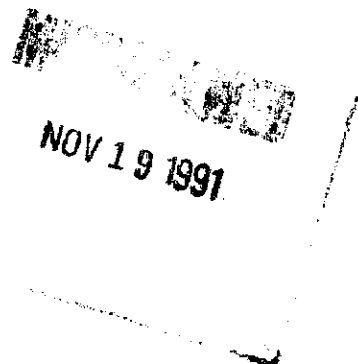
Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure



September 5, 1991

GAYLE L. NORDSTROM
14912 S.E. 122
CLACKAMAS OR 97015

RE: WATER RIGHT NO. 63-09937

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

NOV 19 1991

LICENSE REVIEW CHECKLIST

Permit No. 63-9937

Name/Address change? ok ☒

Priority date Advance? yes ☒ no

Memo to advance

Blue sheet inserted

Order to reinstate needed? yes ☒ no

Total cfs Limited by fee (1.0) ☒

Limited by capacity ☒

Total volume Limited by flow

Chart checked for AF rate/ac 4.5

Capacity Actual measurement checked yes ☒

Theoretical checked ☒

If greater than permit, check for other rts

Source Changed? yes no ☒

If so, is memo needed to clarify?

P/D Verify with map ☒ permit ☒

More than one per 1/4? Remember remark

Check p/d overlap

Uses Check irrigation period of use w/ chart ☒

P/U Verify with map ☒ permit ☒

> 5 acres irrigated, run overlap

Remarks More than one p/d in 1/4

Description of non-irrig uses

Special overlap condition

Conditions Measuring device top of ok to remove

W.Master control 104

Overlap 137

Water quality

Other

Dates/Misc Water district

App Rec'd date ☒

Proof Rec'd date ☒

Comments/Changes to Examiner's Recommendations:

License 10-day ☒

NOV 19 1991
30-day

Back of field report signed? ☒

Reviewer S. Curtis Date 10-31-90

Review time 13 minutes

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
L6309937																							
6303219	WEATHERBY	L	GROUNDWATER	01N	01E	10								20							20		
6303337A	ANDERSON BROTHERS	L	GROUNDWATER	01N	01E	10								40							40		
6303577	WEATHERBY	L	GROUNDWATER	01N	01E	10							35	20	36	39	40				170		
6307756	C.E. NICHOLSON & SONS	L	GROUNDWATER	01N	01E	10												40		40	40 38 38		
6309184	ANDERSON BROTHERS	L	GROUNDWATER	01N	01E	10							20							40	60		
~~6309937~~	~~NORDSTROM~~	~~P~~	~~SAND CREEK~~	~~01N~~	~~01E~~	~~10~~							40	20							~~60~~		
6311343	HAYES	P	GROUNDWATER	01N	01E	10							35	20							55		
L6309937	NORDSTROM	L	SAND CREEK	01N	01E	10							19	18							37		
	1986 MAPPING DATA ---	-	COUNTY 1 QUAD Y	8	01N	01E	10	4	16	41	27		27	40	39	41		40	10	7	38	39 40 38 42	

ok to license w/ standard cond B32
no 2d overlaps

NOV 19 1991

WATER RIGHT NO.	LAST NAME	STG	PRIORITY DATE	P F	WATER SOURCE	WATER USE	RATE cfs	CAPACITY	TWP	RNG	SECT	TRACT	LOT
~~63-09937~~	FOSTER FOSTER NORDSTROM	P	07/15/1982		SAND CREEK INDIAN CREEK	IRR	1.00		01N	01E	10	NWNE	
63-11343	HAYES	P	06/21/1990		GROUNDWATER	IRR	1.00		01N	01E	10	NWNE	
63-09937	FOSTER FOSTER NORDSTROM	L	07/15/1982		SAND CREEK INDIAN CREEK	IRR	0.62	0.62	01N	01E	10	NWNE	

ok

NOV 19 1991

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 63-9937
FROM: SHARLA CURTIS
RE: PRIORITY ADVANCE REVIEW
DATE: 6-NOV-1990

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	JULY 15 1982	196
EXAM FEE NOTICE		
Exam Fee Notice Date:	APRIL 30 1986	120
Exam Fee/Info Sheet Received Date:	MAY 18 1987	503
Exam Fee or Info Due Date:	JUNE 29 1986	180
Days Late:		323 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	JULY 15 1982	196
Total Days Late:		323 DAY(S)
New Priority Date:	JUNE 03 1983	154

RECEIVED

NOV 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

63-9937
Permit No.

*p10 NW 1/4, S NE 1/4 sec 10
T1N, R1E
p10 NW 1/4, S NE 1/4*

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

*checkable from the in place.
wave meas device reg'ty?*

Check of P/D index GN 5-24-88 (Initial and date) *NONE WITH SAME TYPE SOURCE*

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached? *N/A*
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☒ Other: Lapsed permit for spring

Check of P/U index GN 5-24-88 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached? *N/A*
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☒ Other: other source, other lands

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? 5/27 & 6/7 1988 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed *Stan Latta 7/19/89* (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office *DM 8/9/89* (Initial and date)

Exam Date Entered in Computer *8-9-89* (Initial and date)

Exam sent to State Office *8-9-89* (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION (and/or Kit Hayes)

1. Owner: John Hayes Permit No. 63-09937
Current Address: 11399 West Barker Kuna, ID 83634 Phone No. 362-0907
2. Accompanied by: John Hayes EXAM. DATE: 6/28/89
Address: _____ Phone No. _____
Relationship to Permit Holder: _____

3. Source: Sand Creek tributary to Indian Creek
Indian Creek Boise River

B. OVERLAP REVIEW

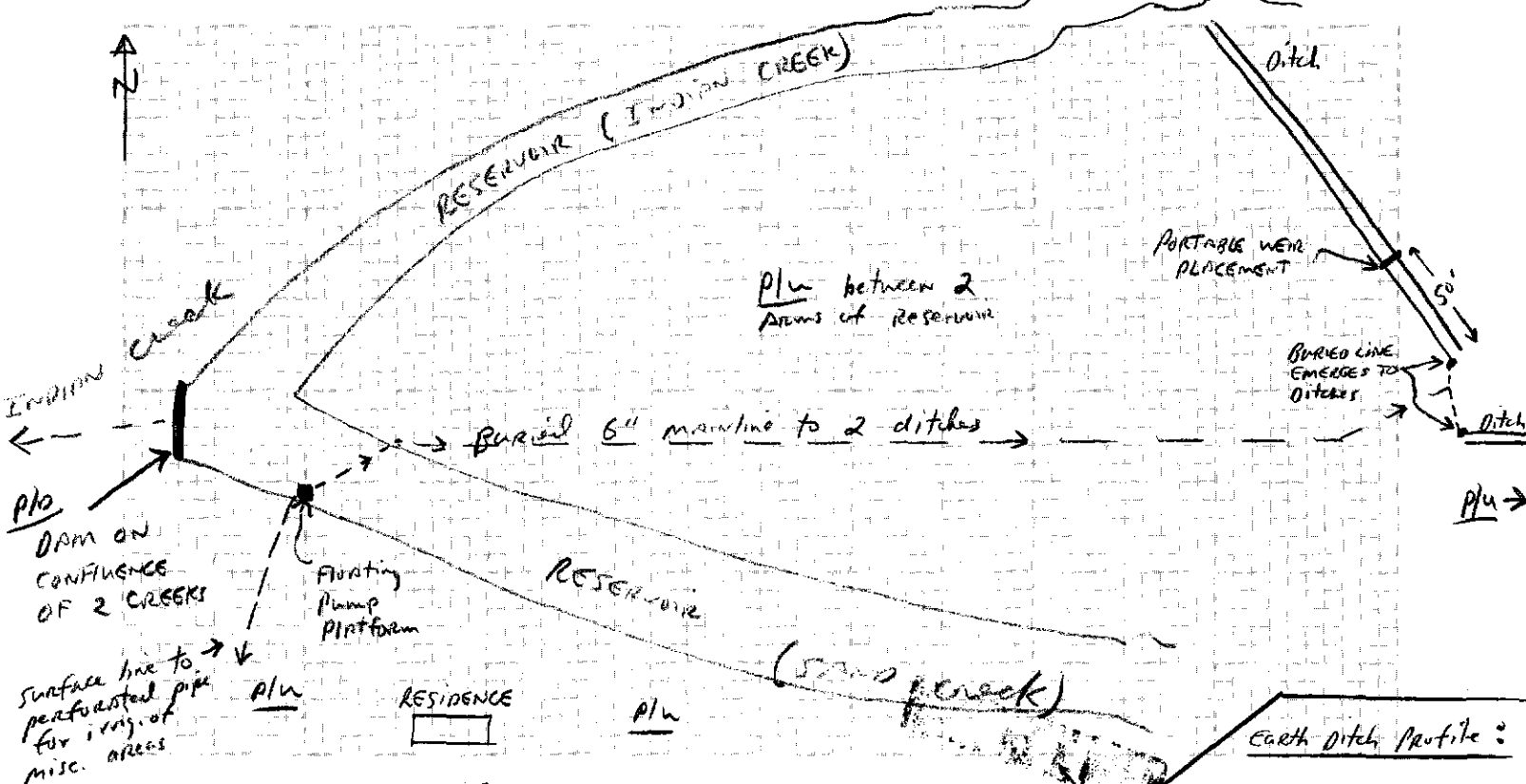
1. Other water rights with same place of use: 63-09099 Lapsed, 63-03577, 63-09184

☐ Copies Attached ^{NOT} _{NEEDED}
2. Other water rights with same point of diversion: 63-09099 Lapsed

☐ Copies Attached _{N/A} ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached ^{NOV 19 1991}
(required for irrigation of 10 acres or more).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

An earth, rock, & clay core dam approx 8' high, 150' long, and 20' wide impounds approx. 22 Acft. in Indian & Sand creeks. Dam is at confluence of creeks. Dam has two 18" upended culverts with gate controls for overflow. Spillways on both ends of dam are at same grade as overflow culvert pipes. Dam appears to be in good condition with little vegetation or animal signs. A floating pump platform pumps water from the reservoir through a buried 6" line approx. 1150' to two earth ditches for flood (siphon tube) irrigation. Also, the pump has a line on surface that ~~is~~^{is} used to irrigate lawn, pasture, orchard area southwest of creek near residence. This irrig. ~~occurs~~^{occurs} via gravity irrig. (perforated pipe). Power pole for floating pump platform has a lockable control box. Thus, ☐ See Remarks on page 4 for continuation this water use can be controlled by watermaster if necessary.

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Baldor	3	36E774-2759	Berkelley	2409501; 4" discharge pipe

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	10	1N	1E	Ada	USGS 7 1/2' Quad & ASES aerial photo

6. **Place(s) of Use:**

Indicate Method of Determination ASES aerial photo

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	1E	10		19		18													37
																			37

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
LOWR Cipolletti weir V-notch				~~68512~~		

2. Measurements:

head at weir = .57'

[open discharge system for Hp eq. in E2 (a) & (b) loses its meaning for comparisons with E1 measured method. Note that weir meas. agreed closely with pump test into owner shown to examiner.]

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

.62 cfs from weir table

Hp: 3 2. Alternate Method for Checking Purposes:
Z=2.5 Hp eq. where (a) no psi with open discharge (b) minimal psi assumed

$$(a) Q = \frac{(8.8)(.8)(3)}{(2.31 \times 2) + 2.5} = 8.45 \text{ cfs where 0 psi assumed}$$

$$(b) Q = \frac{(8.8)(.8)(3)}{(2.31 \times 2) + 2.5} = .43 \text{ cfs where 20 psi assumed}$$

F. PUMP EFFICIENCY DATA (Optional) - N/A - 3 HP system

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (37)(4.5) = 166.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.62)(245)(1.9835) = 301.3$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 166.5$$

2. Volume Calculations for Other Uses:

N/A

NOV 19 1991

① Owner requests waiver of perm. meas. device requirement since less than 0.70 cfs diverted for live flow used IWR portable weir for exam.

H. REMARKS AND OVERLAP REVIEW ANALYSIS

② Permit anticipated 60 acres irrigation at 4.5 ac/ft per acre, 270 ac/ft was anticipated volume development. For license rec'd, add volume from live flow plus stored volumes to total 210.1 ac/ft, which is within permit intentions of $\pm$ 270 ac/ft development.

③ Reservoir estimates: Indian Ck. 90' wide, 4' deep, 1930' long; Sand Ck. 70', 4', 825' ^{Volume $\approx$ 943,800 ft³}

④ Overlap - NONE SIGNIFICANT.

P/D Lapsed permit for spring 63-09099

P/U 63-03577 & 63-09184 ground water rights for ~~other~~ other land.

⑤ Waste water enters the Sand Ck portion of reservoir at $\frac{1}{4}$ - $\frac{1}{2}$ mile (fence line) for NWNE & SWNE S. 10. Thus, the w. water is part of Sand Creek (public water) as it enters creek & does not need to be shown as a separate w. water source.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation Storage	1/1	12/31	—	21.7
Irrigation from Storage	3/15	11/15	—	21.7
Irrigation	3/15	11/15	.62	166.5
Totals:			.62	210.1

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Steven M. Lester

Signature

Stan M. Lester

Certification Date

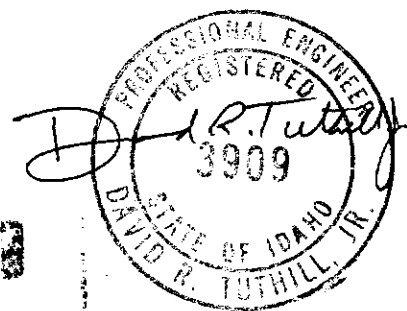
Field Report Preparation Date

7/19/89

K. Licensing recommendation shall be prepared by an Idaho D employee on a computer printout attached hereto.

60
10-31-90

NOV 19 1991



Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
IOWA Siphonless Weir V-notch				~~610031~~		

2. Measurements:

head at weir = .57'

[open discharge system so Hp eq. is E2 (a) & (b) / uses its meaning for comparisons with E1 measured method.
Note that weir meas. agreed closely with pump test into owner should to examiner.]

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

.62 cfs from weir table

Hp = 3
Z = 2.5
2. Alternate Method for Checking Purposes:
Hp eq. where (a) no psi with open discharge (b) minimal psi assumed
(a) $Q = \frac{(8.8)(.8)(3)}{(2.31 \times 2) + 2.5} = 8.45 \text{ cfs}$ where 0 psi assumed
(b) $Q = \frac{(8.8)(.8)(3)}{(2.31 \times 2) + 2.5} = .43 \text{ cfs}$ where 20 psi assumed

F. PUMP EFFICIENCY DATA (Optional) - N/A - 3 HP system

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

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Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

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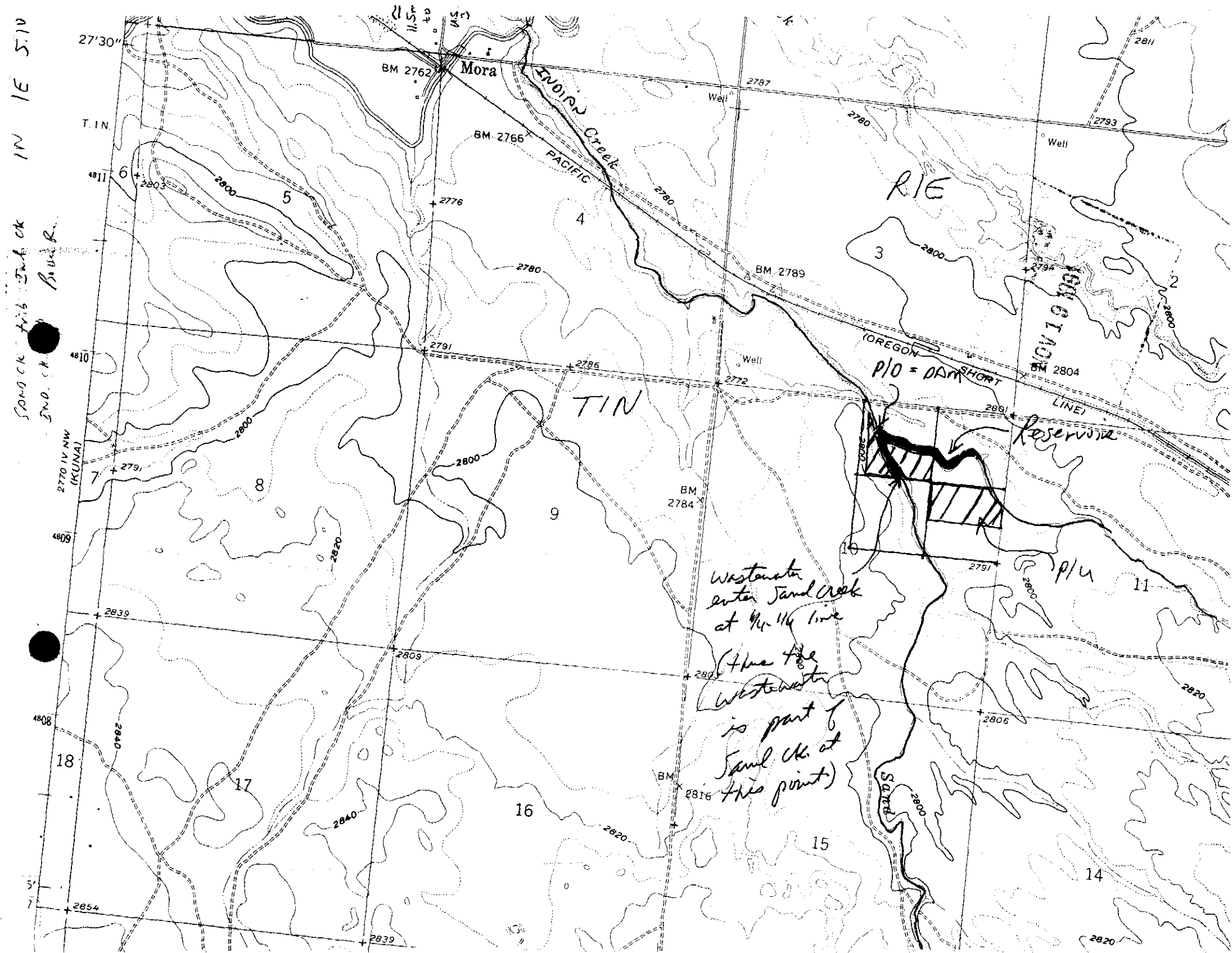
$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 166.5$

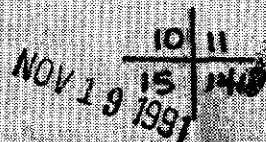
2. Volume Calculations for Other Uses:

N/A

NOV 19 1991

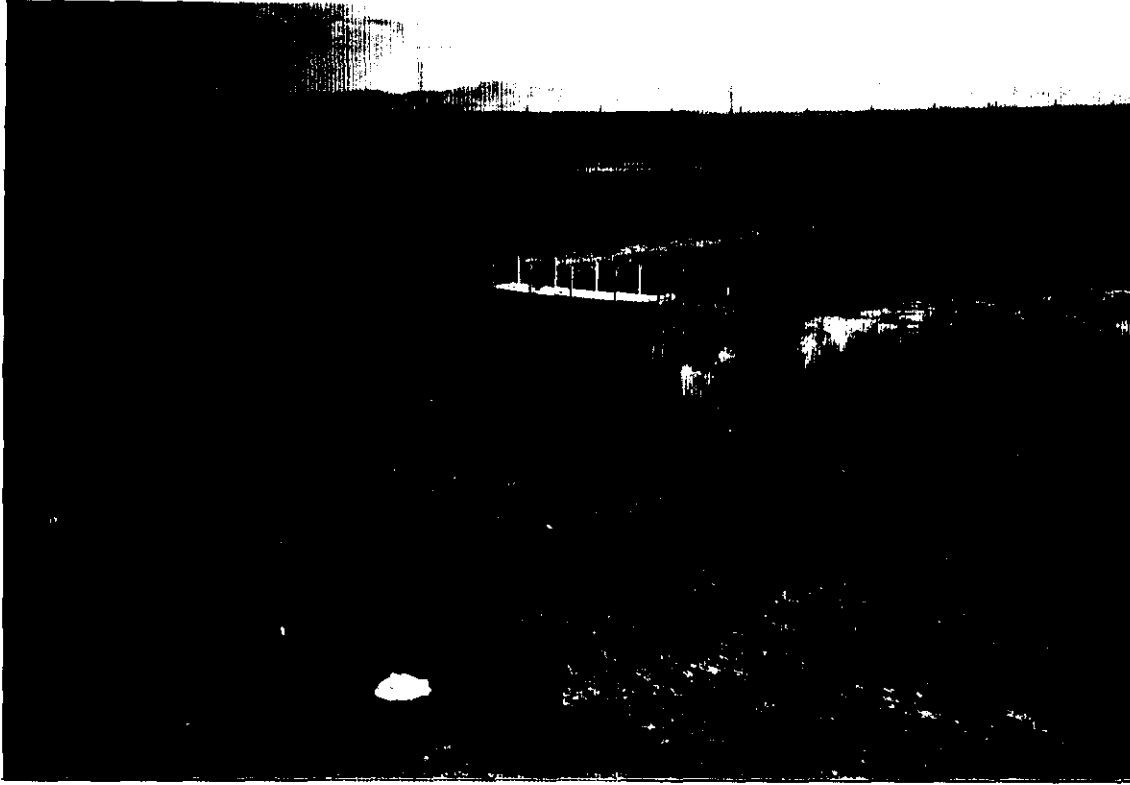
Song ck. Trib. Int. ck. IN 1E 5.10
Sno. ck. B. R.





63-09987

1 of 2



- ① P10
Looking north from
hill where house is
located. View of
dam. Indian Ck.
contains NW (left).



- ②
Another view of P10,
looking south.
Floating pump platform
on left in reservoir.

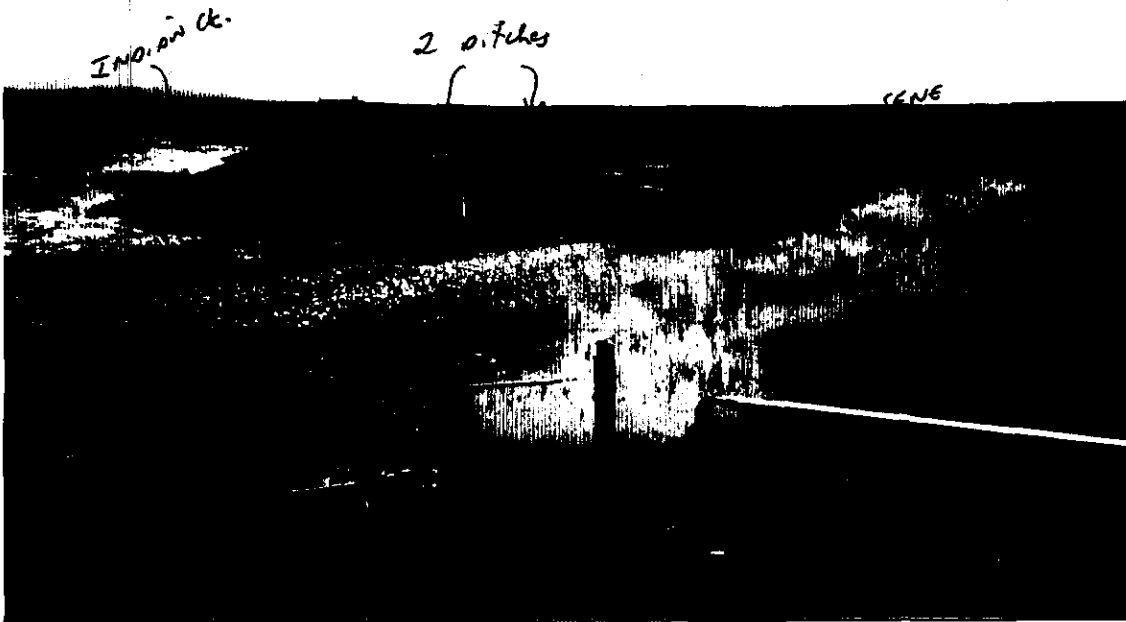
NOV 19 1991

63.09957

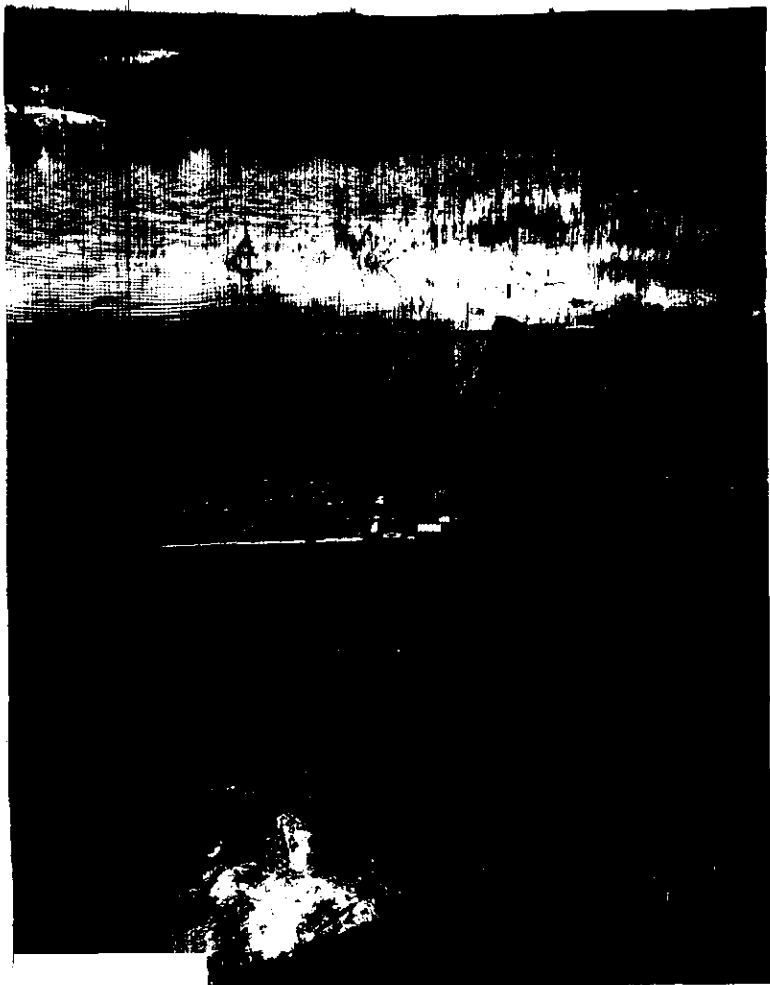
2 of 2

③ Plu

View looking E & SE
at 2 channels of
Reservoir and part of
fields.



④ closer view of pump platform.



NOV 19 1991

H.D. or Fred B. Foster
Rt. 2,
Kuna, Idaho 83684



RETURNED
NOV 19 1991



RECEIVED
NOV 15

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 68-9937
Name(s) of Permit Holder(s): H.D. +/or Farol B. Foster
Post Office Address: Rt. 2, Kuna, Idaho 83634
Tel. No. 862-2522

☒ I hereby certify that construction of diversion works on the above referenced permit began on Nov. 11, 1982 (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

11-12-82
Date

H.D. Foster
Signature of Permit Holder



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 14, 1988

RE: Water Right No. 63-9937

Gayle L. Nordstrom
14912 S.E. 122
Clackamas, OR 97015

Dear Mr. Nordstrom:

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

Please be advised that since this water right is still in the permit stage, further requirements may be required of the permit holder to finalize the water right into a license. The Department will subsequently notify you of these requirements.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED

AUG 05 1988

Permit No. 63-9937

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ✓
2. Notary? ✓
3. a. Full Assignment? ✓
b. Partial Assignment?
4. "No assignment" condition on permit? -N/A
5. Commencement of Works received?
a. Commencement of works requested?
b. Show Cause Order drafted & sent? ~~N/A~~
c. Cancellation necessary? ~~N/A~~
6. Affidavit of residency required?
7. Extension granted due to litigation?
(If yes, commencement of works is not required.)

1. Type permit summary sheet. ✓
2. Coding sheet.
3. Acknowledgement letter type.
4. Copy to region.

Date 7-14-88

Employee S. Carter

RECEIVED

APR 26 1988

HAMILTON, CLARK & MICHAELSON

ATTORNEYS AT LAW

1303 - 12TH AVENUE ROAD

P.O. BOX 65

NAMPA, IDAHO 83653-0065

Department of Water Resources

TELEPHONE

AREA CODE 208

467-4479

CARL D. HAMILTON
MARK L. CLARK
TERRY MICHAELSON
LAWRENCE G. WARDEN

April 25, 1988

Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Johnson:

Enclosed please find an Assignment of Permit #63-9937 from
Herbert D. Foster to Gayle Nordstrom.

If you need anything further before you can acknowledge the
transfer, please advise. Thank you for your assistance in
this matter.

Very truly yours,

HAMILTON, CLARK & MICHAELSON

**DICTATED BY THE ATTORNEY
AND MAILED WITHOUT SIGNATURE
IN HIS ABSENCE TO AVOID DELAY.**

Carl D. Hamilton

CDH:khc

cc: Gayle Nordstrom

Enclosure

RECEIVED

AUG 05 1988

4/86

RECEIVED

MAY 18 1987

RECEIVED

JUN 18 1987

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$100.00
Date 5-18-1987
Receipt # 42413
Receipt by KW
Sent to S.O. 5/18/87 et

RECEIVED
MAY 20 1987

1. Permit No. 63-9937

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: CHARLES W. WUNSCH

3. Post Office Address: R2 SO. CLOVERDALE KUNA, ID. 83634

Telephone No. 362 5969

4. Source of Water: SAND CREEK AND INDIAN CREEK

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 60 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 1 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

MAY 1985

8. Person to contact to accompany the department representative during the field examination:

CHARLES WUNSCH

(Name)

R#2 SO CLOVERDALE KUNA

(Address)

362 5969

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

18 MAY 87
Date

Charles Wunsch owner
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-4440

63-9937
FOSTER, H. D.
FOSTER, FAROL B.
RT. 2
KUNA, ID 83634

April 30, 1987

Dear Permit Holder:

LAPSE NOTICE License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 30, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 30, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 28, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

AUG 05 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

63-9937
FOSTER, H. D.
FOSTER, LAPOL B.
RT. 2
KUNA, ID 83634

September 4, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

Sincerely,

David R. Tuthill Jr.

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

RECORDED

AUG 05 1986

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

63-9937
FOSTER, H. D.
FOSTER, FAROL B.
RT. 2
KUNA, ID 83634

Mailing address:
Statehouse
Boise, Idaho 83720

138003

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

AUG 05 1988

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,


L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
MAY 19 1983
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JANUARY 25, 1986

H. D. FOSTER
RT. 2 S. CLOVERDALE RD.
KUNA ID 83634

RE: Permit No. 63-9937

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

MICROFILMED

AUG 05 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 69-9937

Name(s) of Permit Holder:

Foster, H. D.

Post Office Address:

Rt. 2, So. Cloverdale Rd.

Kuna, Idaho 83634 Tel. No. 362-2622

Source of Water:

Sand Creek + Indian Creek

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

(acres)

☒ Other

Recreation

MICROFILMED

Measuring Device: Required?

☐ Yes

☐ No

Installed?

☐ Yes

☒ No

Access Port:

Required?

☒ Yes

☐ No

Installed?

☐ Yes

☐ No

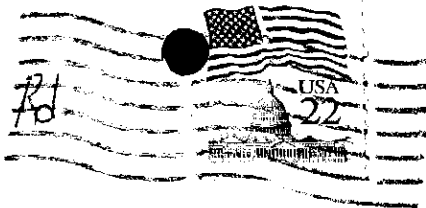
The above information is a true statement of the extent to which the above numbered permit has been developed.

Dec. 21, 1985

Herb D. Foster

State of Idaho Department of Water Resources

Herb D. [unclear] SE. ID
Rt. 2 So. Cloverdale Rd.
Kuna Id. 83634



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FOSTER, H. D. & FAROL B.
RT. 2
KUNA, ID 83634

SEPTEMBER 28, 1982

RE: PERMIT NO. 63-9937

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS MUST BE STARTED WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED. THE PROJECT MUST THEN BE DILIGENTLY CONSTRUCTED UNTIL COMPLETED. TO MAINTAIN THE PERMIT IN A VALID STATUS YOU MUST COMPLETE AND RETURN THE ENCLOSED POSTCARD WHEN CONSTRUCTION IS COMMENCED, NO LATER THAN ONE YEAR FROM THE DATE OF APPROVAL OF THE PERMIT.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE SUPREME COURT'S REVIEW OF THE CASE OF IDAHO POWER COMPANY VS. STATE OF IDAHO, ET AL., ADA COUNTY CIVIL NO. 62237, CURRENTLY BEING APPEALED TO THE SUPREME COURT OF IDAHO. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE SUPREME COURT IS REVIEWING THIS CASE IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS THAT WILL ENABLE THE WATERMASTER TO CONTROL YOUR RATE OF DIVERSION.

RECEIVED
SEP 29 1982
WATER RESOURCES
DIVISION

RE: PERMIT 63-9937

PAGE 01
SEPTEMBER 28, 1982

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

100-443887-100

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 6HS

APPLICATION NUMBER: 63-9937

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: This is upper Indian creek, out of the irr. dist. boundary. Possible trouble area, not that much water in this area. Indian Creek picks up once it enters the Dist. below Mera Canal where return flow starts.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 63-63-4099 (Spring)
63-9184 (Groundwater for 20 acres in SE NE)
☒ Yes ☐ No* In form for advertising.
Final date for protests: 8/30/82
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/24/82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application. 8/12/82 8/19/82
☒ Protests, dates, withdrawal, etc., recorded on application. 45.00/ 24057 Idaho Statesman
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☒ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 63
7/15/82 Date of priority recommended.

Special conditions of approval or cover letter. OIE

I. P. letter

By: DBS

Date: 9/7/82

STATE OFFICE REVIEW:

5-7/12, 105, 108 26 OIE 05/63

☐ See attached sheet for more information.

By: Reef

Date: 9/14/82

RECEIVED

SEP 13 1982

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

63-9099 Spring
3577 road
9184 road

63-993Z

FOSTER, H. D. &/or FAROL B.

RT. 2, KUNA, ID 83634

Source: SAND CREEK tributary to INDIAN CREEK
INDIAN CREEK tributary to BOISE RIVER

Date Filed: 07/15/1982

Amount: 1.00 CFS 24.0 AC-FT

Diversion Point: NWNE Sec 10 T 01N R 01E, ADA Co.

Use: IRRIGATION	(1.00 CFS)	from 03/15 to 11/15
IRRIGATION STORAGE	(24.0 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(24.0 AC-FT)	from 03/15 to 11/15

Place of Use: NWNE SENE Sec 10 T 01N R 01E FOR 60 ACRES

Diversion Means: DAM & POND

WATER RIGHT
DATA ENTRY LOG

[illegible]

DATE August 14, 1981

FROM Forrest Luthy

Mr. H.D. and/or Farol B. Foster

TO

Dear Mr. and Mrs. Foster: Here is your App. made out as I thought it should be from my present knowledge. You will note that it is modified some from our original to include ~~the~~ ^{the} irrigation storage in the described uses. From what I remembered of our conversation I have assumed that the small dam which you proposed was to be placed in Indian Creek proper. If such is not the case, we should make this App. out differently from enclosed.

Also, I could not remember if I had given you assignment forms to get Terry Nordstrom's Pmt. assigned to you, or not. You will note that his App. was probably made out incorrectly, as it did not include any reference in the uses for the storage in the pond. Reading between lines on the microfilm report on the App., indicates the storage would be off-stream, but perhaps the capacity of the pond was not sufficient to be considered storage.

Anyway, enclosed are: Your check, assignment forms, copy of Nordstrom Pmt., and Your App. After examination and signature, if correct, return the App. with your check, so we can date the receipt of the App. and check accordingly. It is possible that some protests will be received on this when advertised, if so, you would be notified as to what courses of action to take.

If there are any questions, call or write.


Forrest Luthy SIGNATURE